

## Remarks

This response is in reply to the Office Action dated April 24, 2007 and the Notice of Non-Compliant Amendment dated November 1, 2007.

Currently, claims 1-24 are pending. Applicants have amended claims 1, 2, 5 and 23 and withdrawn claims 25-79. Applicants respectfully request reconsideration of claims 1-24.

### **I. Summary of the Examiner's Objections**

Claims 5, 6 and 23 were rejected under 35 U.S.C. § 112, second paragraph, for antecedent basis and indefinite issues.

Claims 1-17, 21 and 24 were rejected under 35 U.S.C. § 102(a) as being anticipated by Jeffrey Rankin's article, "Computer-Assisted Construction Planning" (herein after "*Rankin*").

Claims 19-20, 22-23, were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Rankin* in view of U.S. Patent No. 6,868,370 (hereinafter "*Burbridge*").

Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Rankin* in view of U.S. Patent Publication No. 2002/0052862 (hereinafter "*Scott*").

### **II. Summary of the Amendments**

Claims 25-79 have been withdrawn.

Claims 1, 2, 5 and 23 have been amended.

### **III. Restriction Requirement**

Examiner has required restriction to one of three groups of claims, the groups comprising:

Group I: claims 1-24 drawn to a system for defining and managing an asset;

Group II: claims 25-55 and 64 drawn to a second system for defining and managing an asset; and

Group III: claims 56-63 and 65-79 drawn to a third system for defining and managing an asset.

During a phone conversation with Attorney Vierra on April 2, 2007, a provisional election was made with traverse to prosecute of claims 1-24 of group I, with traverse. Applicant affirms the election of Group I, with traverse.

#### **IV. Rejection under 35 USC §112**

Examiner rejected claims 5 and 6 under 35 USC 112, second paragraph, because there is insufficient antecedent basis for the limitation of “data input” in these claims. Claim 1 recites a “data input,” claim 2 is dependent on claim 1, and claims 5 and 6 depend on claim 2. Applicant submits that the antecedent basis for “data input” in claims 5 and 6 is in claim 1 and requests the rejection be withdrawn.

Examiner rejected claim 23 under 35 USC 112, second paragraph, indicating that the term “real time” is relative and renders the claim indefinite. Applicant has amended claim 23 to indicate that “a data store is updated” such that “information modified by users is instantly available to other users in the system.” Support for the amendment can be found on page 18, lines 6-8, which discloses:

The system provides this solution to users in real time, so that all information modified by users is instantly available to other users in the system, creating even greater efficiency.

Applicant submits that the rejection is now moot and requests that the rejection be withdrawn.

#### **V. Rejection under 35 USC §102(b) over Rankin**

Claims 1-17, 21 and 24 were rejected under 35 U.S.C. § 102(a) as being anticipated by Jeffrey Rankin’s article, “Computer-Assisted Construction Planning” (herein after “*Rankin*”). Because *Rankin* fails to disclose each limitation of claims 1-17, 21 and 24, Applicant asserts that these claims are patentable over the cited art.

Select features of embodiments of Applicant’s invention as described above can be found in claim 1 which recites among other limitations:

a data store for **virtual area data** provided on a computer coupled to a network, the virtual area data **representing a portion of a three dimensional space for a project as a two dimensional hierarchical project structure**; and  
a data input and supplement toolset **linking virtual area data to business objects**.

*Rankin* does not disclose the invention as recited in claim 1. *Rankin* is a thesis paper about how previous computer-assisted construction planning systems may be used to arrive at a current

planning system. *Rankin* discloses that a tree structure alone is not a desirable method for displaying construction management information because of the size of the content. (page 19, section 2.7) Additionally, a construction management system may be represented as a number of attributes that are linked together, for example linking resource usage to a process through a number of linked tables in Figure 3.4. (pages 28-30)

Nowhere does *Rankin* disclose a data store for “virtual area data,” where the virtual area data “represents a portion of a three dimensional space for a project” as a “two dimensional hierarchical project structure” as recited in claim 1. Rather, *Rankin* discloses that attributes may be stored and linked together in a table and that a tree structure is not a desirable mechanism for displaying the construction management information. The attributes disclosed by *Rankin* do not amount to virtual area data that “represents a portion of a three dimensional space for a project” as claimed in claim 1.

*Rankin* also does not disclose that the “virtual area data” is linked to “business objects” by a data input and supplemental toolset. *Rankin* does not disclose virtual area data that represents “a portion of a three dimensional space for a project” as a “two dimensional hierarchical project structure,” and therefore cannot disclose that “virtual area data” is linked to “business objects” by a toolset.

Because *Rankin* fails to disclose each limitation of claim 1, claim 1 is patentable over the cited art. Claims 1-17, 21 and 24 each ultimately depend from claim 1 and should be patentable for at least the same reasons in addition to the distinguishable elements they recite.

Claim 2 is further patentable over *Rankin* because *Rankin* does not disclose “virtual area data” which “is assigned a function” as recited in claim 2. *Rankin* discloses that data such as resource usage and a process may be stored in different tables may be linked together. *Rankin* does not disclose a virtual area or that virtual area data “is assigned a function.” Support for a function assigned to virtual area data is found in the Specification at page 62, lines 13-25.

Claim 5 is further patentable over *Rankin* because *Rankin* does not disclose that the virtual area is defined in a graphical format able to be processed and displayed in a user interface by CAD software. *Rankin* discloses that construction management information may be stored in a tree structure, though it is undesirable based on the size of the data set. *Rankin* does not disclose that virtual data that representing a portion of a three dimensional space for a project as a two

dimensional hierarchical project structure is “defined in a graphical format” and can be “processed and displayed in a user interface by CAD software” as recited in claim 5.

## **VI. Rejection under 35 USC §103(a) over Rankin in view of Burbridge**

The Examiner rejected claims 19-20 and 22-23 under 35 U.S.C. § 103(a) as being unpatentable over *Rankin* in view of U.S. Patent No. 6,868,370 (hereinafter “*Burbridge*”). Because the combination of *Rankin* and *Burbridge* fails to disclose or suggest each limitation of claims 19-20 and 22-23, Applicant asserts these claims are patentable over the cited art.

As discussed above, claim 1 which recites:

a data store for **virtual area data** provided on a computer coupled to a network, the virtual area data **representing a portion of a three dimensional space for a project as a two dimensional hierarchical project structure**; and  
a data input and supplement toolset **linking virtual area data to business objects**.

*Rankin* does not disclose the embodiment claimed in claim 1.

*Burbridge* also does not disclose the embodiment claimed in claim 1. *Burbridge* discloses a system for managing design and building of a manufacturing plant. The system discloses storing documents such as a project schedule, organizational chart, meeting minutes and progress reports in a database. The database can be accessed over a network by users having different security clearances. The system provides for several administrative functions, including display of cost tracking and budget data, review of project purchasing information, tracking purchase orders.

*Burbridge* does not disclose a data store for “virtual area data” where the virtual area data represents “a portion of a three dimensional space for a project” as a “two dimensional hierarchical project structure” as recited in claim 1. *Burbridge* discloses that documents may be stored and accessed by users having different security clearances, but does not disclose a virtual area representing a portion of three dimensional space as any type of hierarchical project structure. Rather, the documents stored and assigned a security clearance are not associated with any specific area.

Further, *Burbridge* also does not disclose that the “virtual area data” is linked to “business objects” by a data input and supplemental toolset. Since *Burbridge* does not disclose virtual area

data that represents “a portion of a three dimensional space for a project” as a “two dimensional hierarchical project structure,” it cannot disclose that “virtual area data” is linked to “business objects” by a toolset as recited in claim 1.

A data store for “virtual area data” wherein the virtual area data represents “a portion of a three dimensional space for a project as a two dimensional hierarchical project structure” is also not obvious in view of *Rankin* and *Burbridge*. *Rankin* discloses that a tree structure alone is not a desirable method for displaying construction management information because of the size of the content and that a construction management system may be represented as a number of attributes that are linked together. *Burbridge* discloses that documents may be stored and accessed by users having different security clearances. The combination of *Rankin* and *Burbridge* discloses applying a security clearance to a number of attributes that are linked to each other. One skilled in the art would not be motivated to combination *Rankin* and *Burbridge* in order to achieve “virtual area data” as recited in claim 1.

For the reasons discussed above, the combination of *Rankin* and *Burbridge* does not disclose or suggest the embodiment claimed in claim 1. Dependent claims 19-20 and 22-23 depend from patentable claim 1 and should be patentable for at least these reasons in addition to the distinguishing limitations they recite.

## **VII. Rejection under 35 USC §103(a) over Rankin in view of Scott**

Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Rankin* in view of U.S. Patent Publication No. 2002/0052862 (hereinafter “*Scott*”). Because the combination of *Rankin* and *Scott* fails to disclose or suggest each limitation of claim 18, Applicant asserts these claims are patentable over the cited art.

As discussed above, *Rankin* does not disclose the limitations of claim 1.

*Scott* also does not disclose the limitations of claim 1. *Scott* discloses a system for supply chain product and process development collaboration. A supply chain model is comprised of projects that are a combination of a part, a supplier to the part and a customer to the part. Project part identifiers are stored in a database and methodologies applicable to the project are applied (paragraph 150, 151)

*Scott* does not disclose “virtual area data” that represents “a portion of a three dimensional space for a project” as a “two dimensional hierarchical project structure” as recited in claim 1. *Scott* discloses generation and storage of projects used to implement supply chain product and process development collaboration. The projects generated and stored by *Scott* of supply chain and process development do not include “virtual area data” as recited in claim 1.

For the reasons discussed above, the combination of *Rankin* and *Scott* does not disclose or suggest the embodiment claimed in claim 1. Dependent claim 18 depends from patentable claim 1 and should be patentable for at least these reasons in addition to the distinguishing limitations it recites.

**Conclusion**

Based on the above amendments and these remarks, reconsideration of Claims 1-24 is respectfully requested.

The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136 for extending the time to respond up to and including today, November 9, 2007.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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